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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	Before the Examiner:
McKnight et al.	:	Bashore, William L.
	:	
Serial No.: 09/489,793	:	Group Art Unit: 2176
	:	
Filing Date: January 24, 2000	:	
	:	
Title: SYSTEM AND METHOD	:	IBM Corporation
FOR CAPTURING DOCUMENT	:	Dept. T81/Bldg. 503
STYLE BY EXAMPLE	:	P.O. Box 12195
	:	3039 Cornwallis Road
	:	Research Triangle Park, NC 27709

**REPLY BRIEF UNDER 37 C.F.R. §41.41**

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Reply Brief is being submitted in response to the Supplemental Examiner's Answer dated May 16, 2007, with a two-month statutory period for response set to expire on July 16, 2007.

I. RESPONSE TO EXAMINER'S ARGUMENTS:

A. Response to Examiner's objections to claims 8-11, 21 and 31-34 under 37 C.F.R. §1.75(c) as being in improper form, as discussed on page 2 of Supplemental Examiner's Answer.

The Examiner objects to claims 8-11, 21 and 31-34 under 37 C.F.R. §1.75(c) as being in improper form because they are multiple dependent claims that depend upon other multiple dependent claims. Supplemental Examiner's Answer, page 2. Appellants have amended claims 8-11, 21 and 31-34 in an amendment submitted on May 23, 2007 that corrects the multiple dependency problem. Consequently, the objections to claims 8-11, 21 and 31-34 are moot.

B. Response to Examiner's rejections of claims 16-36 under 35 U.S.C. §101, as discussed on page 3 of Supplemental Examiner's Answer.

The Examiner rejects claims 16-36 under 35 U.S.C. §101 as being allegedly directed to non-statutory subject matter. Supplemental Examiner's Answer, page 3. In particular, the Examiner appears to assert that independent claims 16, 22, 23, 24, 26, 27 and 35 are non-statutory as these claims do not recite the functionality of a computer. *Id.* Appellants have amended claims 16, 22, 23, 24, 26, 27 and 35 to include the aspect of a computer program product embodied in a computer readable medium in an amendment submitted on May 23, 2007. Consequently, claims 16-36 recite the functionality of a computer and are statutory under 35 U.S.C. §101.

II. CONCLUSION:


For the reasons stated above and in Appellants' Second Appeal Brief (July 6, 2005), Appellants respectfully assert that the rejections of claims 1-13, 16-36 and 40-43 are in error. Appellants respectfully request reversal of the rejections and allowance of claims 1-13, 16-36 and 40-43.

Respectfully submitted,

WINSTEAD P.C.

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